

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Group Art Unit No.: 2131

Amol Khare, et al.

Examiner: Shin Hon Chen

Serial No.: 10/820,980

Confirmation No.: 9036

Filed on: April 7, 2004

For: METHOD AND APPARATUS FOR
PREVENTING NETWORK ATTACKS BY
AUTHENTICATING INTERNET CONTROL
MESSAGE PROTOCOL PACKETS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

REPLY TO OFFICE ACTION

Sir:

In reply to the first Office Action mailed June 15, 2007, the shortened statutory period for which runs until September 15, 2007, applicants respectfully request reconsideration of the subject application in light of the remarks herein.

Claims 1-28 stand rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Talpade et al., U.S. Pub. No. 2004/0148520 (“*Talpade*”) in view of Fan et al., U.S. Pat. No. 6,219,706 (“*Fan*”). The rejections are respectfully traversed.

The Office Action fails to present a prima facie case of unpatentability of claims 1-28 under 35 U.S.C. §103(a) because *Fan* is not citable in this application under 35 U.S.C. §103(c)(1) and must be removed as a reference.

CERTIFICATE OF TRANSMISSION VIA EFS-WEB

Pursuant to 37 C.F.R. 1.8(a)(1)(ii), I hereby certify that this correspondence is being transmitted to the United States Patent & Trademark Office via the Office electronic filing system in accordance with 37 C.F.R. §§1.6(1)(4) and 1.8(a)(1)(i)(C) on the date indicated below and before 9:00 PM PST.

Submission date: July 29, 2007

by /ChristopherJPalermo#42056/